

Jul 01, 2019

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

AARON JOSEPH CUNNINGHAM,

Plaintiff,

v.

WALLA WALLA STATE
PENITENTIARY, COUNSELOR
JOHN DOE, and WASHINGTON
STATE,

Defendants.

No. 2:19-cv-00047-SMJ

ORDER DISMISSING ACTION


By Order filed May 14, 2019, the Court directed Plaintiff Aaron Joseph Cunningham to comply with 28 U.S.C. § 1915(a)(2), which requires a prisoner seeking to bring a civil action without prepayment of the filing fee to submit a certified copy of his trust fund account statement (or institutional equivalent) for the six months immediately preceding the filing of the complaint. ECF No. 5. In the alternative, the Court instructed Plaintiff to pay the \$400.00 fee (a \$350.00 filing fee plus a \$50.00 administrative fee) to commence this action under 28 U.S.C. § 1914. *Id.*

Mail sent to Plaintiff at the Spokane County Jail was returned as undeliverable on May 21, 2019, with the notation "Requires Full Name and

1 Address.” ECF No. 6. The Clerk’s Office verified that Plaintiff was not at the
2 Spokane County Jail. *Id.* Plaintiff has not kept the Court apprised of his current
3 address and has filed nothing further in this action. Therefore, **IT IS ORDERED**
4 that this action is **DISMISSED** without prejudice.

5 **IT IS SO ORDERED.** The Clerk’s Office is directed to enter this Order,
6 enter judgment, provide copies to Plaintiff at his last known address, and close the
7 file. The Court certifies any appeal of this dismissal would not be taken in good
8 faith.

9 **DATED** this 1st day of July 2019.

10 
11 SALVADOR MENDOZA, JR.
United States District Judge